

REMARKS

Responsive to the Office Action mailed August 5, 2005, Applicant has studied the Examiner's comments and the cited art. Claims 1, 3-16 and 21-24 are pending prior to entry of this Amendment. Following entry of this Amendment, claims 1, 3-16 and 21-24 are pending. In view of the following remarks, Applicants respectfully submit that the application is in condition for allowance.

Drawings Objections

The Examiner indicates that the drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference characters not mentioned in the description: 28A in Fig. 2B; 88 in Fig. 17; and 96B in Fig. 20.

Applicant submits that there is no 28A in Fig. 2B, although there is a 28A in Fig. 2A. Applicant has amended the drawing to address this objection as discussed below.

The application as filed referenced both a “manual slider member” and a “deformable member” as 85 in the paragraph on page 25, lines 4-22. In the Preliminary Amendment on page 7, Applicant replaced the paragraph and re-numbered the “manual slider member” as 88 to eliminate the error. Thus, the reference to 88 does appear in the description following the Preliminary Amendment.

Applicant directs the Examiner to page 27, line 2 of the application as filed for the reference to 96B.

Amendments to the Drawings

Applicant has amended drawing sheet 2 of 15 to accurately correspond to the specification. Applicant submits a marked-up copy labeled as “Annotated Marked-up Drawing Sheet 2 of 15” and a replacement sheet labeled as “Replacement Sheet 2 of 15.” Applicant submits that no new matter has been introduced.

Applicant submits that the drawings objections have been traversed.

Claim Objections

The Examiner objects to claims 22 and 23 because the terms “first point” and “second point” in line 2 of claim 22 and “first and second points” in line 1 of claim 23 are not supported by the specification.

Applicant has amended claim 22 to state “first location” and “second location” and “first and second locations” in claim 23. Figures 1 and 2A showing a strap connected to the assembly at two locations provide support for the claims.

Applicant respectfully submits that the objections have been traversed.

Section 102 Rejections

Claims 1, 3-9 and 13-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Griffin et al., U.S. Pat. 5,429,119.

Claim 1 has been amended to include that an opening is defined between the handle portion, first member and lightbox, and the opening is adapted to receive a portion of the user's hand. Griffin et al. does not teach or suggest such features. Claim 6 has been amended to include the feature of a strap attached to the handle member and the strap adapted to secure the handle member to the person's hand. Claim 13 has been amended to include the feature that the handle portion, first member and lightbox form a substantially inverted U-shaped configuration.

Griffin et al. does not teach or suggest such features. Griffin et al. does not teach or suggest an opening adapted to receive a portion of the user's hand, nor does it teach or suggest a strap adapted to secure the handle member to the person's hand, nor does it teach or suggest forming a substantially inverted U-shaped configuration.

Applicant respectfully submits that claims 1, 3-9 and 13-16 are allowable over the cited prior art.

Claims 10 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Pajeau, U.S. Pat. 1,763,815.

Claim 10 has been amended to include the feature that the handle portion is movable relative to the lightbox and the reference to the user's hand grasping the handle portion has been replaced with the user's hand contacts the handle portion.

Pajeau does not teach or suggest the feature of the handle portion being movable relative to the lightbox. Conversely, Pajeau teaches that the forward tubular section 1, the rearward tubular section 2 and the interposed elbow section 3 are "rigidly connected to each other, as for example by clinching a rear end bead 4 on section 1 and a forward end bead 5 on the section 2 respectively over the radially enlarged ends of the intermediate section 3." Pajeau, p. 1, ll. 69-

77. Furthermore, Pajeau teaches one battery cell 6 in the forward tubular section 1 and a second battery cell 7 in the rearward tubular section 2 with a resilient switching element 23 between them in the elbow section 3. The switching element is shaped to move into contact with opposed terminals of both battery cells in the “on” position and out of contact with at least one of the opposed terminals in the “off” position. Thus, applicant submits that Pajeau did not desire relative movement between the forward and rearward tubular sections and thus rigidly connected the three pieces.

Applicant respectfully submits that claims 10 and 11 are allowable over the cited prior art.

Claims 21-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Roberts, U.S. Pat. 5,086,377.

Claim 21 has been amended to include the feature of the light-emitting portion capable of emitting a directional light beam and the direction of the directional light beam is adjustable relative to the handle portion. This feature is not taught or suggested by Roberts. Roberts discloses a conical reflector 92 and bulb 94 in the end of extension member 14 and high intensity lamps 130 in the opposite end of extension member 16. Both of the lights 94 and 130 are directed along the longitudinal axis of the grip section 12. Thus, Roberts does not teach or suggest being able to adjust the direction of the directional light beam relative to the handle portion.

Applicant respectfully submits that claims 21-24 are allowable over the cited prior art.

Section 103 Rejection

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Quinn, U.S. Pat. 2,588,036, in view of Nichols, U.S. Pat. 5,265,781.

Claim 12 has been amended to include the feature that the flashlight is capable of emitting a substantially horizontal light beam while in the holster attached to the user's belt.

O'Quinn discloses a toy pistol having a forwardly pointing light bulb 21 in the gun barrel 3. Nichols discloses a belt or waistband mounted gun holster having a pivot connection allowing angular adjustment of the holster. Nichols teaches that the range of angular adjustment "will be limited to the range of useful and useable draw angles. In a preferred embodiment, the range of angular adjustment from the vertical orientation was $\pm 30^\circ$." Nichols, col. 6, ll. 26-31. Thus, the combination of O'Quinn and Nichols does not teach or suggest a flashlight capable of emitting a substantially horizontal light beam while in the holster attached to the user's belt.

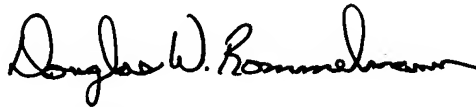
Applicant respectfully submits that claim 12 is allowable over the cited prior art.

Conclusion

Applicant respectfully submits that all issues and rejections have been adequately addressed, that the claims are allowable, and that the case should be advanced to issuance.

If the Examiner has any questions or wishes to discuss the claims, applicant encourages the Examiner to call the undersigned at the telephone number indicated below.

Respectfully submitted,



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Amendments to the Drawings

Please amend drawing sheet 2 – Fig. 2A. Reference number 28A has been deleted. Applicant submits herewith a marked-up copy labeled as “Annotated Marked-Up Drawing Sheet 2 of 15” and a replacement sheet labeled as “Replacement Sheet 2 of 15.”

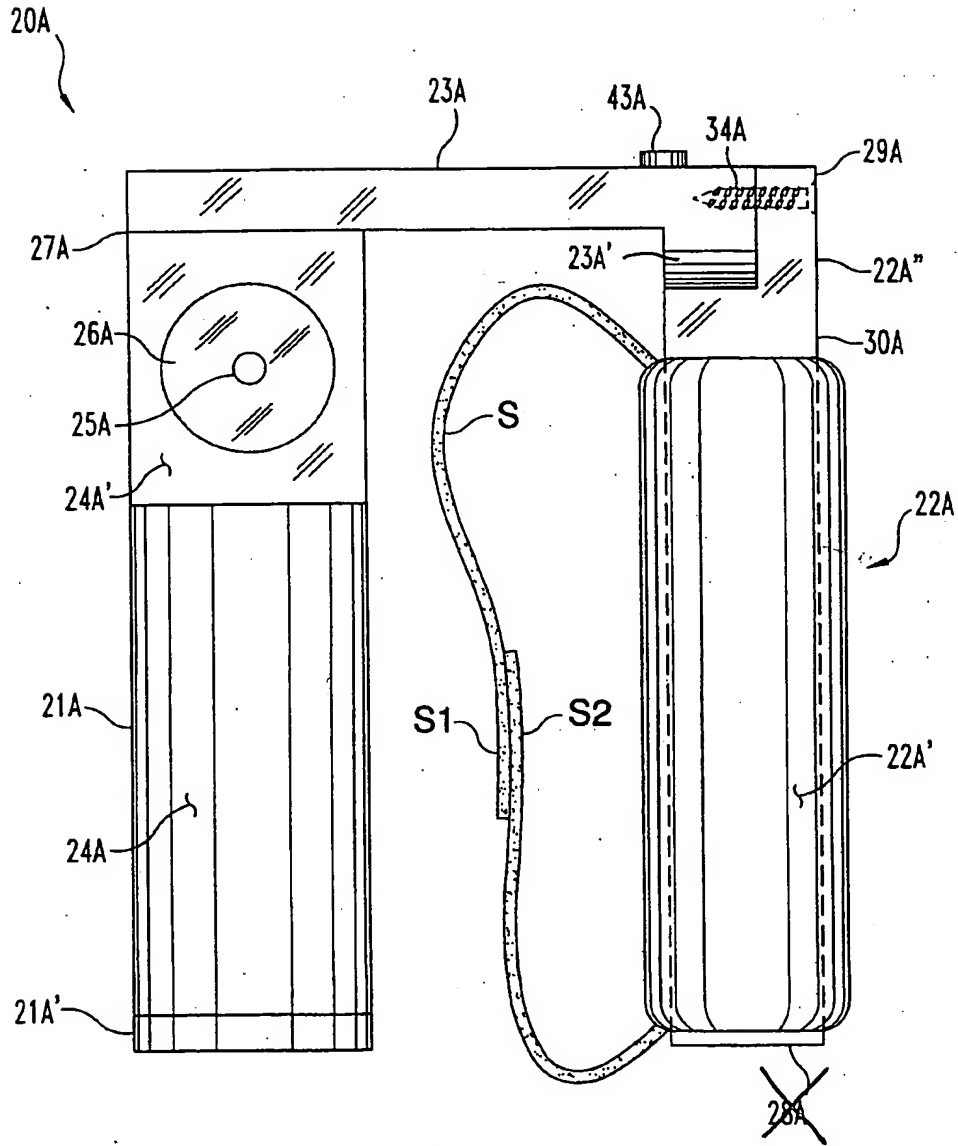


Fig. 2A